

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

BENJAMIN THURMAN,

Plaintiff,

v.

RUG DOCTOR,

Defendant,

No. 4:23-CV-659 SPM

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's motion to proceed in forma pauperis on appeal. [ECF No. 22]. When the Court dismissed this action, it certified in writing that an appeal would not be taken in good faith, *see* ECF Nos. 15 & 16; 28 U.S.C. § 1915(a)(3), and it is not apparent that plaintiff now seeks appellate review of any issue that is not frivolous. *See Coppedge v. United States*, 369 U.S. 438, 445 (1962). As a result, the Court will deny the motion.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to proceed in forma pauperis on appeal [ECF No. 22] is **DENIED**.

Dated this 15<sup>th</sup> day of December, 2023.



HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE